

**MEETING MINUTES**  
**TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM**  
**NEGOTIATED RULEMAKING COMMITTEE**

Embassy Suites Hotel - MSP  
Bloomington, MN  
November 15-17, 2016

**Tuesday, November 15, 2016**

8:15 am – Commence Meeting and Welcome

- Welcome by Bob Sparrow the Designated Federal Official for the TTSGP Negotiated Rulemaking Committee (Committee). He then requested Co-Chair Joe Garcia to start the meeting with prayer. The prayer was said by Darryl Bradley.

8:30 am – DFO Bob Sparrow reviewed the Agenda that had been previously provided and requested a motion to accept. There were no recommendations for changes and the Agenda was accepted unanimously.

8:35 am – FDO Bob Sparrow carried out a roll call of Committee member and introduction of others that were in attendance. The following primary Committee members were in attendance:

- Robert Sparrow, Designated Federal Official
- Joe Garcia, Ohkay Owingeh, Co-Chair
- Kay Wallace Rhoads, Sac and Fox Nation, Co-Chair
- Vivian Philbin, FHWA Office of Chief Counsel
- Denise Michels, Kawarek, Inc.
- Palmer Mosely, Chickasaw Nation
- Westley Woodruff, Poarch Band of Creek Indians
- Katherine Andrus, FAA
- Darryl Bradley, Navajo Nation
- Jennifer Jack, Salt River Pima-Maricopa Indian Community
- Karen Woodard, Morongo Band of Mission Indians
- Basharat Siddiqi, FHWA
- Royce Gchachu, Zuni Tribe
- Edwina Butler Wolfe, Absentee Shawnee Tribe of Oklahoma
- LeRoy Gishi, Bureau of Indian Affairs
- Ron His Horse is Thunder, Standing Rock Sioux Tribe
- Romero, Taos Pueblo
- Michael Hostler, Hoopa Valley Tribe

The following primary committee members were excused from attending:

- John Smith, Wind River Reservation
- Tim Ballew, Lummi Nation

- Elan Flippin, FTA
- Kenneth Martin, USDOT Deputy Assistant Secretary for Tribal Affairs (arrived on Wednesday)

The following committee alternates were in attendance:

- Dean Branchaud, Red Lake Band of Chippewa Indians
- Mary Beth Frank Clark, Nez Perce Tribe
- Eldridge Onco, FTA
- Jonah Begay, Navajo Nation

Please see the attached sign in sheets for others that were in attendance.

9:00 am – The meeting minutes for the previous meeting were reviewed and accepted for posting on the TTSGP website.

9:05 am - Opening Remarks

- Madam Co-Chair Kay Rhoads recognized that the Committee's work to date but indicated that much work still needs to be accomplished at this meeting.
- Co-Chair Joe Garcia, Ohkay Owingeh Tribe echoed Madam Co-Chair's comments.
- DFO Sparrow emphasized that the work of the committee to date is much appreciated and that given the recent elections he reminded everyone that these meetings and the committee's work was to remain policy driven and not political.

9:15 am – Public Comment

- DFO Bob Sparrow asked if anyone had any public comments to offer. There were no public comments from outside the Committee at that time.
- Westly Woodruff thanked the Oklahoma Tribes for the great meeting and it was reiterated by DFO Sparrow.
- DFO Sparrow said that given the current CR expiring in December, the January Meeting in Morongo, CA could not be committed to at this time but that the issue would be readdressed before departure on Thursday. He also indicated that DAS Kenneth Martin was attending the infrastructure consultation at Mystic Lake and that he would be joining the committee tomorrow.

Matt Jaffe asked about the 70 day CR and the 10% Obligation Limitation that was applied. DFO Sparrow clarified that the limit for FY17 had not yet been finalized but that the historic range had been between 4% and 14% in the past.

9:30 am - TTSGP Committee Updates

DFO Sparrow provided the following:

- Welcomed Romero as a replacement for Mickey Peercy who had resigned from the Committee. Mr. Sparrow also said that the letter identifying the DOT Modes and Programs will be provided as soon as it is cleared.

9:45 am – Presentations by Pipeline Hazardous Material Safety Administration (PHMSA)

- Shakira Mack, Presidential Management Fellow
- Please see PowerPoint file labeled “PHMSA Presentation

Summary: A presentation was given on PHMSA’s programs and funding that is made available to Tribes.

Motion was made to go into Work Groups.

### **Wednesday, November 16, 2016**

8:15 am – Meeting re-commenced with a Morning Prayer

There were no Public Comments and the Committee went into Workgroups for the day.

### **Thursday, November 19, 2016**

8:15 am – Meeting commenced with a Morning Prayer

There were no Public Comments and the Committee went into Workgroups for the remainder of the morning. It was agreed that the Committee would reconvene after lunch and that reports would be provided at that time.

1:00 pm – The full Committee reconvened.

Kay Rhoads, Acting Chair of the Administration workgroup (Admin) provided the following report:

- The work group had a very productive week and generally completed its initial review and development of draft regulation Q&As for its assigned areas.
- These drafts will be made available to the Committee and the website so people can look at them for comments. However, it must be clear that these only on the website as a draft because the Federal team has not reviewed them yet, which should be between now and November.

- It was stated that the work group reviewed the USDOT funding process at USDOT and now had a better understanding of how the funding process works at USDOT.

Westly Woodruff reported for the Operations Work Group (Operations) provided the following report:

- The work group was able to finish the development of most of their Q&A's as well and that they would work to complete everything before or at the next meeting.

A discussion took place regarding the agenda for the December meeting and it was decided to use the time to be in full committee and review the products of the respective workgroups so that a Drafting Group could then take what has been done and develop a document that then could be posted on the website and used by the Committee members to disseminate information to the Tribes in their regions. The workgroups will combine all of their material into one file and forward it to the DFO. This file will then be used as the material for the December Review meeting. It was also agreed that the January meeting would be strictly a meeting for the Drafting Group and that after the December meeting, the full committee would reconvene in February. The location of the January meeting will not be in Morongo but at a location that will be discussed at the next meeting.

#### **CLOSING COMMENTS**

The Tribal Co-chairs and DFO all thanked the Committee for their hard work.

A Closing Prayer was said and a motion to adjourn was accepted.